

Remarks

This is a Response to the Official Action dated September 21, 2004.

Claims 1-35 are currently pending in the Application.

35 U.S.C. §103(a) Rejection

Claims 1-5, 7-14, 21-24, 29-31 and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over “A Framework for Inter-ORB Request Level Bridge Construction” (herein after Steinder) in view of “Evaluating the Performance of Demultiplexing Strategies for Real-time CORBA” (herein after Gokhale).

Applicant submits that the Examiner has **not** established a *prima facie* case of obviousness for the claims rejected under 35 U.S.C. §103(a). Applicant notes:

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. **Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure" (emphases added) *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant submits that a *prima facie* case of obviousness has not been established for the reasons set forth below.